

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NOVA DESIGN TECHNOLOGIES, LTD. : CIVIL ACTION

:

:

v. :

:

:

MATTHEW K. WALTERS, et al. : NO. 10-7618

**FILED**

ORDER

Oct 29 2011

MICHAEL *Michael Clark*  
C. *Dep. Clerk*

AND NOW, this 24th day of October, 2011, upon  
consideration of the Renewed Motion to Dismiss Defendants Philips  
Holding USA, Inc. and RIC Investments, LLC (Docket No. 59), the  
plaintiff's response thereto, the defendants' brief in reply, the  
plaintiff's Motion for Leave to File a Sur-Reply (Docket No. 68),  
the defendants' response thereto, and for the reasons set forth  
in a memorandum of law bearing today's date, IT IS HEREBY ORDERED  
that:

1. The defendants' Renewed Motion to Dismiss is  
GRANTED; and
2. The plaintiff's Motion for Leave to File a Sur-  
Reply is GRANTED in part and DENIED in part.

The plaintiff's motion is granted to the extent that  
the Court considered the proposed contents of the brief in sur-  
reply in ruling on the defendants' motion.

The plaintiff's amended complaint is dismissed with respect to the defendants Philips Holding USA, Inc. and RIC Investments, LLC.

BY THE COURT:

  
MARY A. McLAUGHLIN, J.